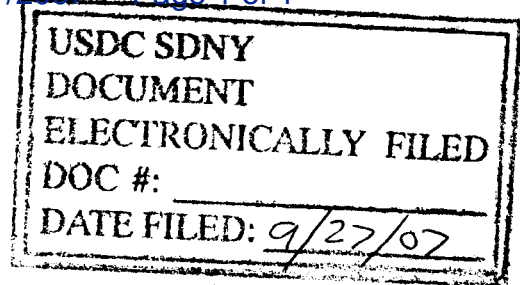


BRIAN K. CONDON*
DAVID J. RESNICK
ELLEN O'HARA WOODS*

CONDON RESNICK, LLP

ATTORNEYS AT LAW
96 SOUTH BROADWAY
NYACK, NEW YORK 10960

845.358.8900
FAX 845.358.8901
SENDER EMAIL:
BRIAN@CONDONRESNICK.COM



DAWN CONGIUSTI*
ELIZABETH DOUGHERTY*
* PARALEGAL
* ADMITTED IN NEW YORK AND NEW JERSEY

September 26, 2007

Via Facsimile Transmission and Regular Mail

Judge William H. Pauley, III
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 3320
Courtroom 11D
New York, New York 10007

MEMO ENDORSED

Re: Data-Com Telecommunications, Inc. v. Empire International, Ltd.
Civil Action Number 07-CV-3207

Dear Judge Pauley:

This firm represents Plaintiff Data-Com Telecommunications, Inc. ("Data-Com") in connection with the above-referenced action currently pending before Your Honor. Pursuant to my telephone conversation with Your Honor's chambers this afternoon, it is respectfully requested that the oral argument of the Plaintiff's Motion to remand and Empire's cross-motion to amend the petition for removal be adjourned from September 27, 2007 at 11:00AM to October 4, 2007 at 11:00AM. This adjournment has been granted on consent of my adversary, Leo V. Leyva, Esq.

Transmitted herewith please find my Affidavit of Engagement on the matter of Gentile vs. Gatins, Richmond County Supreme Court, Index No. 11100/04. I was to have picked a jury today and to begin trial on Monday, October 4th or Tuesday, October 5th. Unfortunately, Judge Philip G. Minardo ordered that jury selection begin tomorrow at 9:30AM in Staten Island. My associate, who is not all that familiar with the instant motion, is conducting Court ordered depositions all day tomorrow.

I thank your Honor for his consideration.

Application granted.
SO ORDERED:

William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.

9/26/07

cc: Leo V. Leyva, Esq. (Counsel for Defendant)

Very truly yours,

CONDON RESNICK, LLP

By: *Brian K. Condon*
Brian K. Condon

Oral argument is adjourned to October 4, 2007 at 11.00 a.m.